



Signed and Filed: August 30, 2023

A handwritten signature in black ink, reading "Dennis Montali", is positioned above the judge's name.

DENNIS MONTALI
U.S. Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

BENJA INCORPORATED,

Debtor.

Case No. 20-30819-DM

Chapter 7

**ORDER APPROVING TRUSTEE'S
MOTION TO APPROVE
COMPROMISE OF
CONTROVERSY (MHC
FINANCIAL SERVICES, LLC)**

Upon due consideration and good cause appearing therefor, based on the Trustee's Motion to Approve Compromise of Controversy with MHC Financial Services, LLC (the "Motion"), ECF 170, and it appearing that Notice of the Motion and the Errata were adequate under the circumstances (ECF 171-177), and that no timely opposition to the Motion was filed, the Court hereby orders as follows:

1. The Motion to Approve Compromise of Controversy with MHC Financial Services, LLC (the "Motion"), ECF 170, is granted.

2. The Settlement Agreement and Release attached as **Exhibit A** to the Declaration of Kyle Everett in Support of the Motion, ECF 170-1, is approved.

1 3. By not objecting to the Motion, Busey Bank has not waived the right: (a) to
2 object to the claims filed in the above-captioned case by Benja investors as being subordinated
3 to the claims filed in the above-captioned case by Benja creditors; or (b) to assert a lien on the
4 proceeds from the Trustee's settlement with MHC.

5 4. Without further Court order, the Trustee is authorized to take those actions that
6 he deems appropriate to implement the relief requested in the Motion and ordered by the Court.

7 5. The Court's order is effective upon entry, and the stay otherwise imposed by
8 Federal Rule of Civil Procedure 62(a) and/or Federal Rule of Bankruptcy Procedure 6004(h)
9 shall not apply.

10 ****END OF ORDER****

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13 **APPROVED AS TO FORM AND CONTENT:**

14 POLSINELLI

15
16 *Jerry L. Switzer, Jr.*

17 _____
18 /s/ _____
19 Jerry L. Switzer, Jr.
20 Attorneys for Creditor Busey Bank
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COURT SERVICE LIST

ECF Participants Only